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PTO/SB/05 (11-00)

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| | | |
|---|------------------------|---|
| UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i> | Attorney Docket No. | PP-16758.003 / 201130.408D1 |
| | First Inventor | Nobuyuki Itoh |
| | Title | HUMAN FGF-21 GENE AND GENE EXPRESSION PRODUCTS |
| | Express Mail Label No. | EL755724294US |

jc628 U.S. PTO
10/060765



| | |
|--|--|
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original and a duplicate for fee processing)</i> 2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. 3. <input checked="" type="checkbox"/> Copy of Specification [Total Pages <u>46</u>] <i>(preferred arrangement set forth below)</i> - Descriptive title of the Invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure 4. <input checked="" type="checkbox"/> Copy of Drawing(s) (35 U.S.C. 113) [Total Sheets <u>12</u>] 5. Oath or Declaration [Total Sheets <u>4</u>] a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63 (d)) <i>(for a continuation/divisional with Box 18 completed)</i> i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). 6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 | 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program <i>(Appendix)</i> 8. <input checked="" type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i> a. <input type="checkbox"/> Computer Readable Form (CRF) b. <input type="checkbox"/> Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input checked="" type="checkbox"/> Statements verifying identity of above copies ACCOMPANYING APPLICATION PARTS 9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney <i>(when there is an assignee)</i> 11. <input type="checkbox"/> English Translation Document <i>(if applicable)</i> 12. <input checked="" type="checkbox"/> Information Disclosure <input checked="" type="checkbox"/> Copies of IDS Statement (IDS)/PTO-1449 Citations 13. <input checked="" type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>Should be specifically itemized)</i> 15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> 16. <input type="checkbox"/> Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. 17. <input type="checkbox"/> Other: _____ |
|--|--|

18. If a CONTINUING APPLICATION OR APPLICATION CLAIMING FOREIGN PRIORITY, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) ☒ Claims priority from U.S. application No. 09/715,805 filed 11/16/00

Prior application information Examiner Ruixiang Li Group Art Unit: 1646

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

| | | | |
|---|-------------------|---|--------------------------------------|
| <input type="checkbox"/> Correspondence address below | | or: <input checked="" type="checkbox"/> Customer Number or Bar Code Label | |
| Firm Name | | | 00500 PATENT TRADEMARK OFFICE |
| Address | | | |
| City, State, Zip | | | |
| Country | | | |
| Telephone | Fax | | |
| Name (Print/Type) | Jane E. R. Potter | Registration No. (Attorney/Agent) | 33,332 |
| Signature | | | Date January 29, 2002 |

Burden Hour Statement This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Box Patent Application, Washington, DC 20231

(JEP cew) #249570

**FEE TRANSMITTAL
for FY 2002**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 824

Attorney Docket No. PP-16758.003 / 201130.408D1

Complete if Known

Application Number

Filing Date **January 29, 2002**

First Named Inventor **Nobuyuki Itoh et al.**

Examiner Name

Group Art Unit

METHOD OF PAYMENT

☒ Payment Enclosed:
☒ Check ☐ Credit card ☐ Money Order ☐ Other
☐ Deposit Account.

Deposit
Account
Number

19-1090

Deposit
Account
Name

Seed Intellectual Property Law Group PLLC

The Commissioner is authorized to (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any deficiencies

to the above-identified deposit account.

☐ Applicant claims small entity status. See 37 CFR 1.27.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 101 | 740 | 201 | 370 | Utility filing fee | 740 |
| 106 | 330 | 206 | 165 | Design filing fee | |
| 107 | 510 | 207 | 255 | Plant filing fee | |
| 108 | 740 | 208 | 370 | Reissue filing fee | |
| 114 | 160 | 214 | 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | | | (\$ 740) |

2. EXTRA CLAIM FEES

| | Large Entity | Small Entity | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|--------------|--------------|----------------|----------|
| Total Claims | 8 | -20 | 0 | | 0 |
| Independent Claims | 4 | -3 | 1 | 84 | 84 |
| Multiple Dependent | | | | | |

| Large Entity | | Small Entity | | Fee Description |
|----------------------|----------|--------------|----------|--|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | |
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 84 | 202 | 42 | Independent claims in excess of 3 |
| 104 | 280 | 204 | 140 | Multiple dependent claim, if not paid |
| 109 | 84 | 209 | 42 | ** Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | ** Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2) (\$ 84) | | | | |

**or number previously paid, if greater, For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Large Entity | | Small | | Fee Description | Fee Paid |
|--------------|----------|----------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet. | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for ex parte reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 400 | 216 | 200 | Extension for reply within second month | |
| 117 | 920 | 217 | 460 | Extension for reply within third month | |
| 118 | 1,440 | 218 | 720 | Extension for reply within fourth month | |
| 128 | 1,960 | 228 | 980 | Extension for reply within fifth month | |
| 119 | 320 | 219 | 160 | Notice of Appeal | |
| 120 | 320 | 220 | 160 | Filing a brief in support of an appeal | |
| 121 | 280 | 221 | 140 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,280 | 241 | 640 | Petition to revive - unintentional | |
| 142 | 1,280 | 242 | 640 | Utility issue fee (or reissue) | |
| 143 | 460 | 243 | 230 | Design issue fee | |
| 144 | 620 | 244 | 310 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 | Petitions related to provisional applications | |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Stmt | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | |
| 146 | 740 | 246 | 370 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 740 | 249 | 370 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 740 | 279 | 370 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0)

SUBMITTED BYName (Print/Type) **Jane E. R. Potter**Registration No. **33,332**
Attorney/AgentFirm Name/
Address

Signature

Date **January 29, 2002**

(JEP:cew) #249568



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PATENT TRADEMARK OFFICE

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Present Application:

Applicants : Nobuyuki Itoh and W. Michael Kavanaugh
Title : HUMAN FGF-21 GENE AND GENE EXPRESSION PRODUCTS
Docket No. : PP-16758.003 / 201130.408D1
Date : January 29, 2002

Prior Application:

Examiner : Ruixiang Li
Art Unit : 1646
Application No. : 09/715,805

Box Patent Application
Commissioner for Patents
Washington, DC 20231

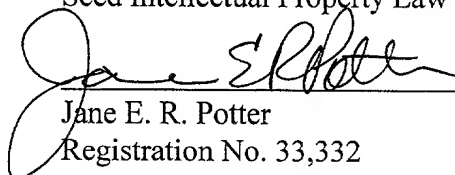
REQUEST TO USE COMPUTER READABLE FORM FROM PARENT APPLICATION

Commissioner for Patents:

The computer readable form in this application is identical with that filed in Application Number 09/715,805 filed November 16, 2000. In accordance with 37 C.F.R. § 1.821(e), please use the only computer readable form filed on September 27, 2001 in that application as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary changes in the application number and filing date for the computer readable form that will be used in the instant application.

Respectfully submitted,

Seed Intellectual Property Law Group PLLC


Jane E. R. Potter
Registration No. 33,332



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PATENT TRADEMARK OFFICE